

- ORDINANCE – FIRST READING – An Amendment to the Joint Ordinance by the City Council of the City of Memphis and Resolution by the Board of the County Commissioners of Shelby County, creating the Memphis and Shelby County Office of Construction Code Enforcement and prescribing its power and duties; providing for the creation of a Joint Board of Appeals and the election of its chairman and vice chairman; providing for an Administrator and two Deputy Administrators for the office; providing for the distribution of funds accruing to said office and for the sharing the expense of operation of said board and office by said governmental bodies; creating Code Advisory Boards and Licensing Boards; adopting the current Shelby County Construction Codes as the Memphis and Shelby County Construction Codes; and authorizing the mayors of the City of Memphis and the County of Shelby to execute said agreements.**

**HOOKS
APPROVED**

2. **ORDINANCE – FIRST READING – (CASE NO. ZTA 03-001CC)**
A Joint Ordinance amending the Memphis and Shelby County Zoning Ordinance-Regulations adopted by the Shelby County Board of Commissioners on October 6, 1980, and the City Council of the City of Memphis on October 7, 1980, being Resolution and Zoning Ordinance No. 3064, as amended, so as to make certain changes therein as follows:
Amend Section 2, “Interpretations and Definitions”;
Section 26, “Overlay District Regulations” to add a new overlay district; and
Section 26, FP floodplain district, paragraph I.7.

**HOOKS
APPROVED**

3. **ORDINANCE – FIRST READING – (CASE NO. STA 03-001CC)**
A Joint Ordinance amending the Memphis and Shelby County Subdivision Regulations adopted by the Shelby County Board of Commissioners and the City Council of the City of Memphis on December 19, 1983, being Resolution and Zoning Ordinance No. 3352, as amended, so as to make certain changes therein as follows:
Amend Section 301.3 “Preliminary Plan Requirements”, paragraph D;
Section 301.7 “Final Plat Requirements”, paragraph C; and
Section 105, “Jurisdiction/exemptions”.

**AVERY
APPROVED**

4. **ORDINANCE – FIRST READING** - Ordinance by the Board of Commissioners for Shelby County, Tennessee, to amend the Shelby County Air Code and Chapter 14.5 of the Code of Shelby County to retain the same annual emission fee amount for calendar year 2002; by providing for revisions for noncompliance; to amend required sampling, recording and reporting; to amend methods of sampling and analysis; to amend fees for stack tests; to add new authority for the Air Board to issue Confidentiality Protection Orders for Secret Formulae, processes or methods used in manufacturing operations and to grant, deny or revoke confidentiality; to add a definition of "*Regulated Pollutant* (for fee calculation)" to incorporate by reference specified state and federal emission standards; and housekeeping revisions.

Zoning and Subdivisions

**HOOKS
ADOPTED
(A-B)**

5. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

Reports and/or Resolutions of Standing Committees

**KIRK
ADOPTED**

6. Resolution amending the FY 2003/2004 Operating and Capital Budgets and appropriating funds in the amount of \$250,000.00 from the budget of Roads and Bridges.

**KIRK
ADOPTED**

7. Resolution approving the sale of thirty-nine delinquent tax parcels from Tax Sale(s) 36, 47, 49, 51, 52, 53, 89.5, 92.2A, 94.3, 94.5, 95.1, 95.2, 96.1, 96.2, 97.1, 97.3, 97.4, 98.2, 99.1 and 99.2 pursuant to the provisions of the TCA 67-5-2507.

**LILLARD
ADOPTED**

8. Resolution appropriating funds in the amount of \$96,150.00 for Change Order #3 to Contract Number C033499 for the repairs to the existing Methane Gas Collection System at the Walnut Grove Landfill and appropriating funds in the amount of \$39,000.00 to the Road Department for placement of earth cover at the Walnut Grove Landfill from FY 2003/2004 Budget for CIP Project No. 101720, Walnut Grove Landfill, and appropriating funds in the amount of \$39,000.00 to the Road Department Budget and amending the FY 2003/2004 CIP Budget and the FY 2003/2004 Road Department Operating Budget.

**AVERY
ADOPTED**

9. Resolution awarding a sealed bid for child care safety seats distributed in the Health Department's City court Child Safety Seat Program to Dorel Juvenile/Cosco in the amount of \$154,215.00 for the period July 1, 2003 – June 30, 2004.

**AVERY
WITHDRAWN**

10. Resolution to approve an amendment to a Management Services Agreement with Shelby County Health Care Corporation for the period July 1, 2003 – June 30, 2007 for the Shelby County's Primary Health Care Services, to appropriate funds in the amount of \$3,800,000.00 for the period July 1, 2003 – June 30, 2007 and to amend the FY 2003/2004 Shelby County Operating Budget.

**AVERY
ADOPTED**

11. Resolution requesting approval of a grant contract amendment from Methodist Healthcare Foundation to the Memphis and Shelby County Health Department in the amount of \$50,884.00 for the purpose of providing services for HIV clients for the period October 1, 2003 – September 30, 2004 and to amend the FY 2003/2004 Operating Budget to carry forward unexpended funds in the amount of \$3,222.00 from the FY 2002/2003 Operating Budget.

**AVERY
ADOPTED**

12. Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$443,000.00 to operate the CSFP Program for the period October 1, 2003 through September 30, 2004, and to amend the FY 2003/2004 Operating Budget.

**THOMPSON
ADOPTED**

13. Resolution approving contract amendment with Otis Elevator Company in the amount of \$52,000.00 for escalator maintenance at the Shelby County Jail.

THOMPSON ADOPTED	14.	Resolution amending the FY 2003/2004 Shelby County Operating Budget for the Memphis and Shelby County Juvenile Court as per Exhibit A to rollover expended Local Law Enforcement Block Grant Fund 199 in the amount of \$29,897.00 from the Bureau of Justice, Office of Justice Programs.
THOMPSON ADOPTED	15.	Resolution to amend the FY 2003/2004 General Sessions Criminal Court Judges Operating Budget to allow for the expenditure of Local Law Enforcement Block Grant funds for Outside Contracts for the Drug Court.
THOMPSON ADOPTED	16.	Resolution to amend the FY 2003/2004 General Sessions Criminal Court Judges Operating Budget to allow for the expenditure of Local Law Enforcement Block Grant funds for the Drug Court.
THOMPSON ADOPTED	17.	Resolution amending the FY 2004 Operating Budget; approving a Juvenile Accountability Incentive Block Grant Agreement between Shelby County Government and the Tennessee Commission on Children and Youth for the term October 1, 2003 to September 30, 2004.
THOMPSON ADOPTED	18.	Resolution to authorize the Office of the District Attorney General to accept \$285,056.00 in the \$285,056.00 in the FY 2003 Project Safe Neighborhoods Program from the Bureau of Justice Assistance, Office of Justice Programs, and to amend the FY 2003/2004 Shelby County Operating Budget and Position Control Budget.
RENDTORFF ADOPTED	19.	Resolution to accept federal grant funds in the amount of \$122,315.00 for the Head Start Program.
MOSS ADOPTED	20.	Resolution authorizing the expenditures of actual and anticipated FY 2003/2004 revenue of Showplace Arena, amending FY 2003/2004 Operating Budget.
MOSS ADOPTED	21.	Resolution approving extension of lease of 1.8 acres of real property on Mud Island owned jointly by Conservation Board and City of Memphis to Massman Construction Company.
MOSS ADOPTED	22.	Resolution authorizing the mayor to execute an agreement between Shelby County and the City of Millington for the Big Creek Drainage Feasibility Project.
MOSS ADOPTED	23.	Resolution authorizing the mayor to enter into a contract with Continental Engineering, Inc. for wetland mitigation monitoring and report documentation at several locations in Shelby County and appropriating funds in the amount of \$21,000.00 from the FY 2003/2004 Budget for CIP Project No. 101941, Wetland Mitigation, and amending the FY 2003/2004 CIP Budget.

MALONE (DEFERRED TO 11/10/03)	24. Resolution approving assignment of county owned property to the Homestead Program.
MALONE ADOPTED	25. Resolution rescinding previously approved resolution approving Homestead Program transfer of property and reassigning property to the real estate office for sale.
MALONE (DEFERRED TO 11/10/03)	26. Resolution approving the transfer of title of four parcels of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985 authorizing the implementation of the Shelby County Homestead Program.
MOSS ADOPTED	CONSENT AGENDA

R E G U L A R A G E N D A

Elections, Appointments, and Confirmations

AVERY ADOPTED	27. Resolution approving the mayor’s nomination of Ellen Vergos to the Shelby County Healthcare Corporation.
FORD ADOPTED	28. Resolution electing three members to the Shelby County Unified Personnel Policy Committee.
KIRK ADOPTED	29. Resolution approving Commissioner Tom Moss in the place and stead of the Chairman and John Willingham as chairman of the Public Service and Tourism Committee to serve on the Convention Center Commission.
AVERY ADOPTED	30. Resolution approving the appointment of Commissioner Tom Moss to the Board of Chickasaw Basin Authority.
AVERY ADOPTED	31. Resolution approving the appointment of Commissioner Cleo Kirk as Budget Chairman and Commissioner Tom Moss to serve in place and stead of the Chairman on the Shelby County Retirement Board.
MALONE ADOPTED	32. Resolution approving the appointment of Commissioner Marilyn Loeffel and Commissioner Michael Hooks to the Center City Commission.

Ordinances

Zoning and Subdivisions

**HOOKS
(DEFERRED
TO 11/24/03)**

33. **CASE NO. Z 03-114 CC**
APPLICANT: Windsor Park, LLC
- LOCATION:** North side of Ellis Road; beginning 944.6 feet west of Brunswick Road
- REQUEST:** Single Family Residential (R-S10) District
- Memphis and Shelby County Office of Planning and Development recommendation:**
APPROVAL
- Memphis and Shelby County Land Use Control Board recommendation:**
APPROVAL
- (Notice of public hearing published in the Daily News on Friday, August 15, 2003.)

**HOOKS
ADOPTED
AS AMENDED**

34. **CASE NO. P.D. 03-352 CC**
APPLICANT: Jim D. Ethridge
- LOCATION:** +/-150 feet west of Woodland Ridge Drive and +/-1,000 feet north of Woodland Hills Drive
- REQUEST:** An amendment to Parcel 9 of the Woodland Hills Planned Development (P.D. 03-322 CC) to add 27 Single Family Lots
- Memphis and Shelby County Office of Planning and Development recommendation:**
APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board recommendation:**
APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on Friday, October 17, 2003.)

Reports and/or Resolutions for Standing Committees

**THOMPSON
ADOPTED**

35. Resolution authorizing Shelby County Government to accept \$60,000.00 in drug seizure funds from the City of Memphis Police Department for professional treatment services for patients seen at the Detoxification Center and to amend the FY 2003/2004 Operating Budget.

**HOOKS
(DEFERRED
TO 11/10/03)**

36. A Joint Resolution of the City Council of the City of Memphis and the Shelby County Board of Commissioners instituting a moratorium on the collection of Special Event fees.

**MALONE
DROPPED**

37. Resolution appropriating funding for vehicle acquisition for the Memphis and Shelby County Public Library.

Announcements/Statements

Adjournment

**RENDTORFF
ADOPTED**

- 38. Resolution of Adjournment to November 10, 2003 at 1:30 p.m.**

**[For questions regarding the Agenda, please call
Grace Hutchinson, Chief Administrator, at 545-4301.]**

6/10/04 10:06 AM

AGENDA # 5
OCTOBER 27, 2003

5A

SUBDIVISION: BROWNSVILLE-ST. ELMO SHOPPING CENTER, PHASE 1
(Z 2588 CC)

DEVELOPER: BROWNSVILLE-ST. ELMO SHOPPING CENTER, L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE
IMPROVEMENTS TO BROWNSVILLE-ST. ELMO SHOPPING
CENTER, PHASE 1 (Z 2588 CC)

LOCATION: NORTHWEST CORNER OF NEW BROWNSVILLE ROAD AND
ST. ELMO ROAD

5B

SUBDIVISION: FOREST CREEK P.D., PHASE 3, AREA 2 (P.D. 96-310 CC)

DEVELOPER: FOREST HILL PARTNERSHIP

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE
IMPROVEMENTS TO FOREST CREEK P.D., PHASE 3, AREA 2
(P.D. 96-310 CC)

LOCATION: NORTHEAST AND SOUTHEAST CORNER OF NONCONNAH
PARKWAY AND FOREST HILL IRENE ROAD